



Request for City Council Committee Action from the Department of Regulatory Services

Date: September 9, 2013

To: Council Member Elizabeth Glidden, Chair – Regulatory, Energy & Environment Committee

Subject: Nuisance Condition Process Review Panel (NCPRP) recommendation regarding appeal of Director's Order to Raze and Remove structure located at 2639 Oliver Ave N

Recommendation: Adopt the findings of the Nuisance Condition Process Review Panel and approve the demolition of 2639 Oliver Ave N.

Previous Directives: Reconsideration of Matter by the Nuisance Condition Process Review Panel (NCPRP)

Department Information

Prepared by: Scott Bockes, PPU Operations Analyst - 612-673-5896

Approved by:

Nuria P. Rivera-Vandermyde, Director of Regulatory Services

Presenters in Committee: Kellie Rose Jones

Financial Impact

- Action is within the Business Plan

Community Impact

- Neighborhood Notification of NCPRP
- Consistent with City Goals

Procedural Information

This matter originally came before the Nuisance Condition Process Review Panel (NCPRP) on 2/9/12. The matter was continued and heard again at the 4/12/12 meeting. The panel at that time recommended rehabilitation. Upon subsequent review by the Regulatory, Energy, and Environment Committee on 6/4/13 (postponed from 5/14/12), the committee denied the restoration agreement and authorized demolition. The matter then was considered by the full City Council at its scheduled meeting on 6/15/12. The Council also approved the denial of the restoration agreement and authorized demolition. The Council action was signed by the mayor and published. Mr. Khan appealed to the Minnesota Court of Appeals and the matter was heard before the court on 6/3/13. The Court issued an opinion to reverse and remand the matter to the City Council. The City Council, based upon the Court of Appeals' decision and the length of time that had expired, remanded the matter to NCPRP for new findings on the condition of the property and recommendation as to whether the property should be rehabilitated or demolished. The matter appeared before NCPRP on August 8, 2013.

Background and Update

2639 Oliver Ave N is a duplex in the Jordan neighborhood. The 2½ story structure was built in 1914. The building is 3,422 square feet and sits on a 5,365 square foot lot. It has 11 rooms, including 4 bedrooms and 2 baths. It is not owner-occupied. The property has been determined to be substandard. The property sustained storm/tornado related damage on May 22, 2011. The damage includes but is not limited to the roof, soffit, fascia, chimney, siding, windows, rear entry, and fencing.

The Preservation and Design Team staff has conducted a historic demolition review of the property and stated that "The subject property has no particular associations with significant events, people, city/neighborhood identity, architecture, master craftsmen, landscape designs, or development patterns." They have signed the wrecking permit application and returned it to staff.

The most recent estimated cost (July, 2013) to rehabilitate the building is between \$111,472 and \$156,672. This is calculated based on a MEANS square footage estimate.

The CPED contracted appraiser has determined the estimated after market rehab value to be \$165,000. The 2013 assessed value of the property is \$28,500.

The estimated cost to demolish the structure is between \$25,600 and \$32,500.

The Jordan Area Community Council and the owners of properties within 350 feet of 2639 Oliver Ave N were mailed requests on July 8, 2013, for a community impact statement. The department received 8 responses, 7 of which state that the property has a negative impact on the community and should be demolished.

Mr. Khan agreed to a strict timeline established by the panel in which he was to provide staff with signed proposals from licensed tradespersons and plans concerning the rehabilitation of the property on or before August 23, 2013. Mr. Khan also agreed to deposit escrow funds of \$13,500 or 10% of the final construction costs by August 23, 2013. Neither of these conditions was met.

Given Mr. Khan's failure to comply with the conditions as established by the NCPRP, staff adopts the NCPRP recommendation that the building located at 2639 Oliver Avenue N, Minneapolis, Minnesota, be demolished so that it no longer constitutes a nuisance condition.